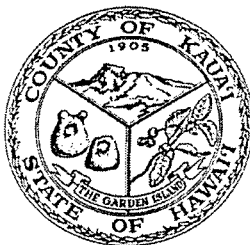


COUNTY COUNCIL

Jay Furfaro, Chair
Mason K. Chock, Sr., Vice Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk

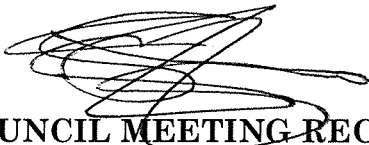
Telephone (808) 241-4188
Fax (808) 241-6349
Email cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

December 19, 2013

TO: Bernard P. Carvalho, Jr., Mayor

FROM: Jay Furfaro, Council Chair 

RE: **DECEMBER 18, 2013 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its December 18, 2013 Council Meeting:

CONSENT CALENDAR:

C 2013-380 Communication (12/02/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-754, as amended, relating to the Capital Budget of the County of Kaua'i for the Fiscal Year (FY) 2013-2014, by revising the amounts estimated in the Special Trust Fund for Parks & Playgrounds – Hanalei District. (*Black Pot Park Expansion - \$94,427*) (*Received for the Record.*)

C 2013-381 Communication (12/09/2013) from the Mayor, transmitting for Council consideration, pursuant to Sections 89-11(g) and 89C-5, Hawai'i Revised Statutes (HRS), the cost items for the Collective Bargaining Agreement for Bargaining Unit 11 between July 1, 2011 and June 30, 2017, pursuant to Section 19.13(B) of the Kaua'i County Charter. (*Received for the Record.*)

COMMUNICATIONS:

C 2013-378 Communication (11/20/2013) from Councilmember Yukimura, transmitting for Council consideration, a proposal to establish a new Article under Chapter 22 of the Kaua'i County Code 1987, as amended, to address regulations and restrictions related to the excessive barking of dogs, while balancing the rights and privileges of dog owners with the rights and privileges of other citizens of the County. (*Received for the Record.*)

C 2013-379 Communication (11/27/2013) from Councilmember Yukimura, transmitting for Council consideration, a proposal to establish a new Article under Chapter 22 of the Kaua'i County Code 1987, as amended, relating to a Cat Licensing Program. *(Received for the Record.)*

C 2013-382 Communication (11/12/2013) from the Director of Parks and Recreation, requesting Council approval to accept a donation valued in the amount of \$2,365.62, from Mrs. Karen Grillos, Mr. Paul Iwai of Silva's Memorials, and the Marine Corps League for a granite memorial bench at 'Anini Beach Park in memory of Marine Corps Sergeant Major Bud White, who passed away on January 10, 2013. *(Approved with thank-you letter to follow.)*

C 2013-383 Communication (11/22/2013) from the Mayor, requesting agenda time to provide the Council with a brief presentation on the Administration's efforts to implement Ordinance No. 960 (Bill No. 2491, Draft 2), relating to Pesticides and Genetically Modified Organisms (GMOs). *(Received for the Record.)*

C 2013-384 Communication (12/02/2013) from the Acting Director of Personnel Services, transmitting for Council information, the July-September 2013 Department of Personnel Services Quarterly Report, pursuant to Section 19 of the Fiscal Year 2013-2014 Operating Budget, Ordinance No. B-2013-753, which includes new hires, transfers, reallocations, promotions, and vacancies for the first quarter. *(Received for the Record.)*

C 2013-385 Communication (12/11/2013) from the County Attorney, requesting Council approval to expend additional funds up to \$10,000 for Special Counsel's continued services provided for Defendant Chris Calio in Lynell Tokuda, et al. vs. Chris Calio, et al., Civil No. CV13-00202 DKW BMK (U.S. District Court), and related matters. *(Approved.)*

C 2013-386 Communication (12/11/2013) from the County Attorney, requesting Council approval to expend additional funds up to \$10,000 to retain Special Counsel to represent the County of Kaua'i in Eric Y. Shibuya vs. County of Kaua'i, et al., Civil No. 13-1-0345 (Fifth Circuit Court), and related matters. *(Approved.)*

CLAIMS:

C 2013-387 Communication (11/26/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Ernesto G. Pasion, for attorney's fees and medical bills, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

C 2013-388 Communication (12/09/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Clifford Ikeda, for damage to personal property, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

COMMITTEE REPORTS: Approved, with the exception of the following:

CR-COW 2013-20: on Resolution No. 2013-72 – RESOLUTION TO IMPLEMENT AN ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS STUDY (EPHIS), VIA FORMATION OF A PESTICIDE AND GENETIC ENGINEERING JOINT FACT FINDING GROUP (JFFG) *(Deferred.)*

RESOLUTION:

Resolution No. 2013-72, Draft 1 – RESOLUTION TO IMPLEMENT AN ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS STUDY (EPHIS), VIA FORMATION OF A PESTICIDE AND GENETIC ENGINEERING JOINT FACT FINDING GROUP (JFFG) *(Approved as Amended to Resolution No. 2013-72, Draft 2.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2516) – A BILL FOR AN ORDINANCE TO ESTABLISH A NEW ARTICLE UNDER CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, ENTITLED BARKING DOGS *(Approved on 1st reading, Public Hearing scheduled for 01/16/2014, and referred to the Environmental Services / Public Safety / Community Assistance Committee.)*

Proposed Draft Bill (No. 2517) – A BILL FOR AN ORDINANCE TO ESTABLISH A NEW ARTICLE UNDER CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, ENTITLED CAT LICENSING PROGRAM *(Approved on 1st reading, Public Hearing scheduled for 01/16/2014, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

Proposed Draft Bill (No. 2518) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS *(Black Pot Park Expansion - \$94,427) (Approved on 1st reading, Public Hearing scheduled for 01/16/2014, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

Proposed Draft Bill (No. 2519) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 11 BETWEEN JULY 1, 2011 AND JUNE 30, 2017 *(Approved on 1st reading, Public Hearing scheduled for 01/16/2014, and referred to the Committee of the Whole.)*

BILLS FOR SECOND READING:

Bill No. 2502, Draft 1 – A BILL FOR AN ORDINANCE TO REPEAL ORDINANCE NO. 716, RELATING TO STANDARDS, PERMITS AND FEES FOR WORK ON BUILDINGS, STRUCTURES AND PROPERTY DAMAGED BY HURRICANE 'INIKI *(Approved.)*

Bill No. 2505 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND CIP *(Kaneiolouma Heiau - \$805,000, Complete Streets Kōloa/Po'ipū - \$333,528, Po'ipū Beach Park - \$333,527) (Approved.)*

Bill No. 2506 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND *(Kaneiolouma Heiau - \$350,000, Heiau Contingency - \$63,407) (Approved.)*

Bill No. 2507 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, SOLID WASTE FUND, AND SEWER FUND *(Approved.)*

Bill No. 2508 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Licenses & Permits/Dog (Street-Use - General Fund) - \$110,000, Kauai Humane Society (Special Projects) - \$110,000) (Approved.)*

Bill No. 2509 – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.2(D) OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT *(Approved.)*

Bill No. 2510 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 13 BETWEEN JULY 1, 2013 AND JUNE 30, 2017 *(Approved.)*

Bill No. 2511 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, SOLID WASTE FUND, SEWER FUND, GOLF FUND, HIGHWAY FUND, HOUSING AND COMMUNITY DEVELOPMENT FUND, KALEPA HOUSING FUND, AND PAANAU HOUSING FUND (*Approved.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: Council

Via E-mail: KCT Department Heads
KCT CCs
Council Services Staff